

States may be appointed members of the Commission.

The members of the Commission shall serve as such without compensation, except that (1) their actual expenses in connection with the work of the Commission, (2) when in a travel status outside the continental United States, a per diem at the same rate prescribed for members of the uniformed services under section 405 of Title 37, in lieu of subsistence, and (3) when in a travel status within the continental United States, a per diem at the same rate authorized to be paid under sections 5702 and 5703 of Title 5, in lieu of subsistence, may be paid to such members from any funds appropriated for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, or acquired by other means hereinafter authorized.

Upon the request of the Commission, the heads of the Federal departments or agencies are authorized to designate such personnel, and to make available to the Commission such facilities, of their respective departments or agencies, or of the Army, Navy, Air Force, or Marine Corps, as the case may be, as may be necessary to assist in carrying out the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, and may expend for such purposes any funds appropriated to such departments, agencies, and services, with reimbursement from the Commission for the pay and allowances of the personnel so designated. The Commission is authorized to employ such further personnel as may be necessary to carry out the purposes of such sections, within the limits of any appropriation or appropriations made for such purposes. To ensure adequate care and maintenance of the cemeteries, monuments, and memorials under the jurisdiction of the Commission, the Commission, subject to the availability of appropriations, shall employ (1) not less than 50 personnel in the competitive service (as defined in section 2102 of title 5, of whom not less than 43 shall be assigned to duty in foreign countries in which such cemeteries, monuments, and memorials are located, and (2) not less than 348 individuals who are citizens of the countries in which such cemeteries, monuments, and memorials are located, who shall be hired for local employment relating to the care and maintenance of such cemeteries, monuments, and memorials. No individual may be employed as the superintendent, or as an assistant superintendent, of a cemetery operated by the Commission unless such individual is a citizen of the United States.

The provisions of this subsection shall take effect on the first day of the first calendar month following the date of enactment of this Act.

(Mar. 4, 1923, ch. 283, §1, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §1, 70 Stat. 640; Oct. 21, 1970, Pub. L. 91-480, 84 Stat. 1081; Apr. 1, 1976, Pub. L. 94-256, 90 Stat. 301; Oct. 18, 1978, Pub. L. 95-479, title III, §306, 92 Stat. 1566; Oct. 7, 1980, Pub. L. 96-385, title V, §506, 94 Stat. 1537; Dec. 18, 1989, Pub. L. 101-237, title V, §503, 103 Stat. 2094.)

REFERENCES IN TEXT

This subsection, referred to in text, probably refers to the second and third undesignated paragraphs of this section as amended by act July 25, 1956.

The date of enactment of this Act, referred to in text, probably means the date of enactment of act July 25, 1956, which was approved July 25, 1956.

AMENDMENTS

1989—Pub. L. 101-237 substituted “members of the armed forces” for “commissioned officers of the armed forces” in third sentence.

1980—Pub. L. 96-385, subject to available appropriations, required employment of at least 50 persons in the competitive service, including not less than 43 individuals for foreign assignment, for care and maintenance of cemeteries, monuments, and memorials, and at least 348 local citizens for employment at foreign locations.

1978—Pub. L. 95-479 inserted provision prohibiting the employment of an individual as superintendent or assistant superintendent of a cemetery unless such individual is a citizen of the United States.

1976—Pub. L. 94-256 substituted provisions authorizing the members of the Commission to receive a per diem at the same rate prescribed under section 405 of Title 37, when in a travel status outside the continental United States, and a per diem at the same rate authorized to be paid under sections 5702 and 5703 of Title 5 when in travel status within the continental United States, for provisions authorizing a per diem of \$40 in lieu of subsistence when in travel status outside the continental United States, and a per diem at the same rate authorized to be paid under section 5703(c)(1) when in travel status within the continental United States.

1970—Pub. L. 91-480 substituted provisions authorizing members of the Commission to receive a per diem of \$40 in lieu of subsistence when in a travel status outside the continental United States, and a per diem at the same rate authorized to be paid under section 5703(c)(1) of Title 5 when in a travel status within the continental United States, for provisions authorizing a per diem of \$20 in lieu of subsistence when in a travel status.

1956—Act July 25, 1956, authorized payment of a per diem in lieu of subsistence, made the facilities of Federal departments or agencies available to the Commission, included personnel and facilities of the Air Force, and permitted expenditure of funds appropriated to Federal departments or agencies with reimbursement from the Commission.

1946—Act June 26, 1946, increased the number of Commission members from seven to eleven.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-385 effective Oct. 1, 1980, see section 601(b) of Pub. L. 96-385, set out as a note under section 1114 of Title 38, Veterans' Benefits.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-479 effective Oct. 1, 1978, see section 401 of Pub. L. 95-479, set out as a note under section 1114 of Title 38, Veterans' Benefits.

APPROPRIATIONS

Section 11 of act Mar. 4, 1923, authorized appropriations to effectuate original provisions of act Mar. 4, 1923, which were classified to sections 121 and 123 to 132 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 125, 127, 128, 138a, 138b of this title.

§ 121a. Omitted

CODIFICATION

Section, act Mar. 28, 1946, ch. 113, title I, §101, 60 Stat. 62, which authorized Commission to delegate to its chairman, secretary, or officials in charge of either the Washington or Paris offices such of its authority as it deemed necessary and proper, was from the Independent Offices Appropriation Act, 1947, and was not re-

peated in subsequent appropriation acts. See section 138b of this title. Similar provisions were contained in the following prior appropriation acts:

May 3, 1945, ch. 106, title I, § 101, 59 Stat. 108.
 June 27, 1944, ch. 286, title I, § 101, 58 Stat. 363.
 June 26, 1943, ch. 145, title I, § 101, 57 Stat. 171.
 June 27, 1942, ch. 450, § 1, 56 Stat. 395.
 Apr. 5, 1941, ch. 40, § 1, 55 Stat. 95.
 Apr. 18, 1940, ch. 107, § 1, 54 Stat. 114.
 Mar. 16, 1939, ch. 11, § 1, 53 Stat. 525.
 May 23, 1938, ch. 259, § 1, 52 Stat. 412.
 June 28, 1937, ch. 396, § 1, 50 Stat. 331.
 Mar. 19, 1936, ch. 156, § 1, 49 Stat. 1169.
 Feb. 2, 1935, ch. 3, § 1, 49 Stat. 7.

§ 121b. Station allowance for Army officers serving on Commission

Where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations.

(Sept. 28, 1994, Pub. L. 103-327, title III, 108 Stat. 2317.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Oct. 28, 1993, Pub. L. 103-124, title III, 107 Stat. 1291.
 Oct. 6, 1992, Pub. L. 102-389, title III, 106 Stat. 1595.
 Oct. 28, 1991, Pub. L. 102-139, title III, 105 Stat. 760.
 Nov. 5, 1990, Pub. L. 101-507, title III, 104 Stat. 1370.
 Nov. 9, 1989, Pub. L. 101-144, title III, 103 Stat. 854.
 Aug. 19, 1988, Pub. L. 100-404, title II, 102 Stat. 1021.
 Dec. 22, 1987, Pub. L. 100-202, § 101(f) [title II], 101 Stat. 1329-187, 1329-194.
 Oct. 18, 1986, Pub. L. 99-500, § 101(g) [H.R. 5313, title II], 100 Stat. 1783-242, and Oct. 30, 1986, Pub. L. 99-591, § 101(g) [H.R. 5313, title II], 100 Stat. 3341-242.
 Nov. 25, 1985, Pub. L. 99-160, title II, 99 Stat. 914.
 July 18, 1984, Pub. L. 98-371, title II, 98 Stat. 1221.
 July 12, 1983, Pub. L. 98-45, title II, 97 Stat. 224.
 Sept. 30, 1982, Pub. L. 97-272, title II, 96 Stat. 1165.
 Dec. 23, 1981, Pub. L. 97-101, title II, 95 Stat. 1422.
 Dec. 15, 1980, Pub. L. 96-526, title II, 94 Stat. 3050.
 Nov. 5, 1979, Pub. L. 96-103, title II, 93 Stat. 775.
 Sept. 30, 1978, Pub. L. 95-392, title II, 92 Stat. 795.
 Oct. 4, 1977, Pub. L. 95-119, title II, 91 Stat. 1077.
 Aug. 9, 1976, Pub. L. 94-378, title II, 90 Stat. 1098.
 Oct. 17, 1975, Pub. L. 94-116, title II, 89 Stat. 587.
 Sept. 6, 1974, Pub. L. 93-414, title II, 88 Stat. 1099.
 Nov. 27, 1973, Pub. L. 93-162, title V, 87 Stat. 653.
 Oct. 25, 1972, Pub. L. 92-544, title V, 86 Stat. 1128.
 Aug. 10, 1971, Pub. L. 92-77, title V, 85 Stat. 264.
 Oct. 21, 1970, Pub. L. 91-472, title V, 84 Stat. 1058.
 Dec. 24, 1969, Pub. L. 91-153, title V, 83 Stat. 421.
 Aug. 9, 1968, Pub. L. 90-470, title V, 82 Stat. 686.
 Nov. 8, 1967, Pub. L. 90-133, title V, 81 Stat. 429.
 Nov. 8, 1966, Pub. L. 89-797, title V, 80 Stat. 1501.
 Sept. 2, 1965, Pub. L. 89-164, title V, 79 Stat. 639.
 Aug. 31, 1964, Pub. L. 88-527, title V, 78 Stat. 731.
 Dec. 30, 1963, Pub. L. 88-245, title V, 77 Stat. 796.
 Oct. 18, 1962, Pub. L. 87-843, title V, 76 Stat. 1100.
 Aug. 3, 1961, Pub. L. 87-125, title IV, 75 Stat. 279.
 July 12, 1960, Pub. L. 86-642, title I, 74 Stat. 475.
 July 8, 1959, Pub. L. 86-79, title I, 73 Stat. 164.
 June 25, 1958, Pub. L. 85-468, title I, 72 Stat. 223.
 June 5, 1957, Pub. L. 85-48, title I, 71 Stat. 52.
 June 13, 1956, ch. 385, title I, 70 Stat. 278.
 June 29, 1955, ch. 226, title I, 69 Stat. 194.
 June 24, 1954, ch. 359, title I, 68 Stat. 274.

July 31, 1953, ch. 302, title I, 67 Stat. 299.
 July 5, 1952, ch. 578, title I, 66 Stat. 395.

CROSS REFERENCES

Travel and transportation allowances to officers of the Army, see section 401 et seq. of Title 37, Pay and Allowances of the Uniformed Services.

§ 122. Expenses of officers of Armed Forces serving on Commission

When traveling on business of the Commission, officers of the Armed Forces serving as members or as Secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission.

(Sept. 28, 1994, Pub. L. 103-327, title III, 108 Stat. 2317.)

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 June 24, 1954, ch. 359, title I, 68 Stat. 274.
 July 31, 1953, ch. 302, title I, 67 Stat. 299.
 July 5, 1952, ch. 578, title I, 66 Stat. 395.
 Aug. 31, 1951, ch. 376, title I, 65 Stat. 269.
 Sept. 6, 1950, ch. 896, Ch. VIII, title I, 64 Stat. 699.
 Aug. 24, 1949, ch. 506, title I, 63 Stat. 633.
 Apr. 20, 1948, ch. 219, title I, 62 Stat. 179.
 May 3, 1945, ch. 106, title I, 59 Stat. 107.
 June 27, 1944, ch. 286, title I, 58 Stat. 363.
 June 26, 1943, ch. 145, title I, 57 Stat. 171.